

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SMIRK'S LTD,

Plaintiff,

v.

ARTE SANO, LLC, et al.,

Defendants.

Case No. 1:23-cv-00552-ADA-SAB

ORDER DIRECTING CLERK OF COURT
TO CLOSE CASE AND ADJUST THE
DOCKET TO REFLECT VOLUNTARY
DISMISSAL PURSUANT TO RULE 41(a)
OF THE FEDERAL RULES OF CIVIL
PROCEDURE

(ECF No. 10)

On April 28, 2023, a stipulation was filed signed by the Plaintiff and the served Defendant, dismissing this action without prejudice and with each party to bear its own costs and fees. (ECF No. 10.) In light of the stipulation of the parties, this action has been terminated, Fed. R. Civ. P. 41(a)(1)(A)(ii); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997), and has been dismissed with prejudice and without an award of costs or attorneys' fees.

Accordingly, the Clerk of the Court is HEREBY ORDERED to CLOSE the file in this case and adjust the docket to reflect voluntary dismissal of this action pursuant to Rule 41(a).

IT IS SO ORDERED.

Dated: May 1, 2023


UNITED STATES MAGISTRATE JUDGE